

**DURHAM, NORTH CAROLINA
MONDAY, AUGUST 18, 1997
7:30 P.M.**

The Durham City Council met in regular session on the above date and time in the Council Chamber at City Hall with the following members present: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Absent: Mayor Kerckhoff.

Also present: City Manager P. Lamont Ewell, City Attorney Henry Blinder, City Clerk Margaret M. Bowers and Deputy City Clerk D. Ann Gray

Mayor Pro Tem Robinson called the meeting to order asking for priority items from the City Manager, City Attorney and City Clerk. **[No priority Items]**

Mayor Pro Tem Robinson asked if any council member(s) or citizen(s) wanted to pull any item(s) from the Consent Agenda for discussion later in the meeting. Council Member McKissick requested that Consent Item 17 be pulled [License Agreement with YMCA]. Mr. Hugh Lecky, a citizen, requested that Consent Item 12 be pulled [Administrative Audit Consultant Contract].

MOTION by Council Member Larson seconded by Council Member Miller to approve the Consent Agenda as amended was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

[CONSENT AGENDA]

SUBJECT: COMMUNITY SUBSTANCE ABUSE PREVENTION PROGRAM

MOTION by Council Member Larson seconded by Council Member Miller to adopt an “ordinance Amending Ordinance #11205 Concerning U. S. Department of Health and Human Services Community Substance Abuse Prevention Program” was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

Ordinance #11247

**SUBJECT: GRANT PROJECT ORDINANCE - NORTH CAROLINA
DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY
GRANT FOR “CRECIMIENTO Y COMUNIDAD”**

MOTION by Council Member Larson seconded by Council Member Miller to adopt the City of Durham Grant Project Ordinance North Carolina Department of Crime Control and Public Safety Grant for “Crecimiento Y Comunidad” was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

Ordinance #11233

SUBJECT: BUREAU OF JUSTICE ASSISTANCE BLOCK GRANT

MOTION by Council Member Larson seconded by Council Member Miller to approve the original expenditure plan for the Bureau of Justice Assistance Block Grant [recommended by the Citizen Committee at the July 22, 1997 meeting called to hear citizen comments regarding the original recommendation brought to City Council on May 19, 1997] and;

To request a report from the City Manager concerning Chapel Hill’s volunteer citizens patrol program—report to be given at a later date was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

SUBJECT: BIOQUEST PROJECT - MUSEUM OF LIFE AND SCIENCE

MOTION by Council Member Larson seconded by Council Member Miller to authorize the expenditure of \$3,500,000 in 1996 General Obligation Bond funds for the Bioquest Project of the Museum of Life and Science subject to execution of a standard Municipal Grant Agreement in a form and substance consistent with the report by the Museum approved by the City Council on April 7, 1997 and consistent with the City Council’s policy regarding 1996 Bond funds for Non-City Agencies was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

**SUBJECT: AMENDMENT TO CONTRACT BETWEEN THE BETHESDA
VOLUNTEER FIRE DEPARTMENT AND THE CITY OF DURHAM
FOR FIRE PROTECTION**

MOTION by Council Member Larson seconded by Council Member Miller to authorize the City Manager to execute an amendment to contract between the City of Durham and the Bethesda Volunteer Fire Department to cover supplemental fire protection for the

South Miami Boulevard Area 1997 for a period of two months, and to add eight months to the service date for the Eastern Renewal Area was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

SUBJECT: PROPOSED LEASE AGREEMENTS TO INSTALL BUS STOP SHELTERS ON PRIVATELY-OWNED PROPERTY

MOTION by Council Member Larson seconded by Council Member Miller to approve and continue to use, on an as needed basis, the lease agreement to install bus stop shelters on privately-owned property; and

To authorize the City Manager to execute such leases and make minor changes as long as such changes do not affect the rental rate was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

SUBJECT: PRIVATE SALE OF SURPLUS REAL PROPERTY IN NORTHEAST CENTRAL DURHAM TO DURHAM COUNTY HABITAT FOR HUMANITY AND REAL PROPERTY IN SOUTHWEST CENTRAL DURHAM TO DURHAM COMMUNITY LAND TRUSTEES

MOTION by Council Member Larson seconded by Council Member Miller to adopt a resolution authorizing the private sale of the property at 107 N. Goley Street by the City Manager and authorizing the Mayor to convey the property by deed to Durham County Habitat for Humanity; and

To adopt a resolution authorizing the private sale of the property at 867/869 Estes Street by the City Manager and authorizing the Mayor to convey the property by deed to Durham Community Land Trustees was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

Resolution #8379

Resolution #8380

SUBJECT: PROCTOR STREET APARTMENTS HOME PROJECT - DURHAM COMMUNITY LAND TRUST, INC.

MOTION by Council Member Larson seconded by Council Member Miller to authorize the City Manager to execute a Loan Agreement with Durham Community Land Trust, Inc. to provide an amount not to exceed \$44,880 from HOME funds as a forgivable loan for acquisition, site improvements, construction and contingency costs, and \$30,000 from HOME funds for construction and permanent financing; execute related loan closing documents; and make minor changes to the Loan Agreement and other related loan closing documents as are consistent with the loan terms and the FY 96 HOME Program requirements approved by City Council; and

To determine and find that mortgage loans for this rental housing project are not otherwise available, wholly or in part, from public or private lenders, upon equivalent or reasonably equivalent terms and conditions was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

SUBJECT: HAYTI REDEVELOPMENT CORPORATION HOME PROJECT

MOTION by Council Member Larson seconded by Council Member Miller to authorize the City Manager to execute a Loan Agreement and Builder Participation Agreement with Hayti Development Corporation in the amount of up to \$129,750 from HOME funds as acquisition/construction financing followed by up to \$129,750 of cumulative permanent second mortgage financing, and \$43,250 of HOME CHDO Operating Grants; and to execute related loan closing documents and to make minor changes to the Loan Agreement and other related loan closing documents as are consistent with the loan terms and the HOME Program requirements approved by City Council

To determine and find that mortgage loans for this homeownership housing project are not otherwise available, wholly or in part, from public or private lenders, upon equivalent or reasonably equivalent terms and conditions was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

SUBJECT: FINAL APPROVAL - 1996 HOUSING BOND FUNDS, TRIANGLE RESIDENTIAL OPTIONS FOR SUBSTANCE ABUSERS, INC. (TROS)

MOTION by Council Member Larson seconded by Council Member Miller to authorize the City Manager to execute a Loan Agreement with Triangle Residential Options for Substance Abusers, Inc. (TROS) Inc. in an amount not to exceed \$146,625 from the 1996 Housing Bond funds, and to execute related loan closing documents , and to make minor changes to the Loan Agreement and other related closing documents as are

consistent with the loan terms and the 1996 Housing Bond Program requirements approved by the City Council; and

To determine and find that mortgage loans for this transitional housing project are not otherwise available, wholly or in part, from public or private lenders, upon equivalent or reasonably equivalent terms and conditions was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

**SUBJECT: MODIFICATION OF REDEVELOPMENT AGREEMENT FOR
UDI/CDC OLD FIVE POINTS HOUSING PROJECT**

MOTION by Council Member Larson seconded by Council Member Miller to authorize the City Manager to execute the attached Loan Modification Agreement and the attached Amendment to the Redevelopment and Loan Agreement with UDI/CDC; and to authorize the City Manager to execute other related loan documents and to make minor changes to the Agreements and other related documents as are consistent with the loan terms approved by City Council was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

SUBJECT: DURHAM PLANNING COMMISSION APPOINTMENTS

MOTION by Council Member Larson seconded by Council Member Miller to re-appoint Thomas M. Davis, representing District 4, and Todd C. Patton, representing District 6, to the Durham Planning Commission for three-year terms to expire June 30, 2000 was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

**SUBJECT: RELOCATION ASSISTANCE POLICY - MARTIN LUTHER KING,
JR. EXTENSION PROJECT**

MOTION by Council Member Larson seconded by Council Member Miller to adopt a resolution establishing a Relocation Assistance Plan for residents displaced by the Martin Luther King, Jr. Extension Project was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

Resolution #8381

SUBJECT: REVIEW OF WATER AND SEWER ADJUSTMENT POLICIES

MOTION by Council Member Larson seconded by Council Member Miller to receive and approve a report from the Administration concerning water and sewer adjustment policies--

- increase in plumbing and fixtures adjustments from 50% of the excess charges to 80% effective with the implementation of bi-monthly billing;
- increase from one fixture leak adjustment per 12 month period to two fixture leak adjustment within that same period provided that documentation is provided that the leaks are different; and
- allow unlimited excess sewer adjustments on documented plumbing problems

was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

SUBJECT: PROJECT AGREEMENT - HURRICANE FRAN STREAM DEBRIS REMOVAL - U. S. NATURAL RESOURCES CONSERVATION SERVICE

MOTION by Council Member Larson seconded by Council Member Miller to authorize the City Manager to execute a project agreement with the U. S. Natural Resources Conservation Service to perform Hurricane Fran stream debris removal was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

SUBJECT: WATER AND SEWER EXTENSION AGREEMENT WITH BARRINGER ENTERPRISES, INC. - EAGLES POINT SUBDIVISION

MOTION by Council Member Larson seconded by Council Member Miller to authorize the City Manager to enter into a water and sewer extension agreement with Barringer Enterprises, Inc. for the extension of water and sewer service to Eagles Point Subdivision, located on the east side of N. C. Highway 751 south of I-40 was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

SUBJECT: WATER AND SEWER EXTENSION AGREEMENT WITH TRINITY BUILDERS, L.L.C. - CRYSTAL LAKE TOWNHOMES

MOTION by Council Member Larson seconded by Council Member Miller to authorize the City Manager to enter into a water and sewer extension agreement with Trinity Builders, L.L.C. for the extension of water and sewer service to Crystal Lake Townhomes, located at the corner of Camelia Street and Crystal Lake Pond was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

SUBJECT: WATER AND SEWER SERVICE AREA AND ANNEXATION BOUNDARY - DURHAM AND MORRISVILLE

MOTION by Council Member Larson seconded by Council Member Miller to authorize the City Manager to receive a report from the City Engineer concerning an “Agreement between Morrisville and Durham Defining Water and Sewer Service Areas and Annexation Boundaries”; and

To set a public hearing on Tuesday, September 2, 1997 to receive citizens’ comments on the proposed Agreement, to adopt an ordinance and resolution adopting the Agreement, and to authorize the City Manager to execute the Agreement was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

SUBJECT: MUNICIPAL AGREEMENT WITH NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) - GUESS ROAD WIDENING PROJECT

MOTION by Council Member Larson seconded by Council Member Miller to adopt a resolution authorizing the City Manager to execute a municipal agreement with NCDOT for the Guess Road Widening Project #U-2102 was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

Resolution #8382

SUBJECT: INVITATION TO MUNICIPAL COUNCIL DIRECTOR OF ARUSHA, TANZANIA TO VISIT DURHAM

MOTION by Council Member Larson seconded by Council Member Miller to request the Mayor to send a letter on behalf of the Durham City Council extending an official invitation to Miss. Assumpta Ndimbo, Municipal Council Director of Arusha, Tanzania, to visit Durham during October-November, 1997 was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

SUBJECT: BIDS - SCRAP TIRE DISPOSAL RECYCLING SERVICE - TIRES INTO RECYCLED ENERGY & SUPPLIES, INC.

MOTION by Council Member Larson seconded by Council Member Miller to authorize the City Manager to enter into a contract with Tires Into Recycled Energy & Supplies, Inc. in the amount of \$124,448 for providing the City with scrap tire disposal/recycling service was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

SUBJECT: BIDS - ESTIMATED ANNUAL REQUIREMENT FOR AGGREGATES - BENCHMARK CAROLINA AGGREGATES

MOTION by Council Member Larson seconded by Council Member Miller to accept the bid from Benchmark Carolina Aggregates in the amount of \$195,025 for aggregates delivered (Section I), aggregates/customer pickup (Section II), and special aggregates delivered (Section III) was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

SUBJECT: TWENTY-FIVE MPH SPEED LIMIT - DEMERIUS STREET

MOTION by Council Member Larson seconded by Council Member Miller to adopt an ordinance to establish a 25 mile per hour speed limit on Demerius Street in the area between Watts Street and Gregson Street was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

Ordinance #11234

SUBJECT: STOP SIGNS - ASHWORTH ESTATES SUBDIVISION

MOTION by Council Member Larson seconded by Council Member Miller to adopt an ordinance authorizing the installation of stop signs at the following locations:

1. Ashworth Drive at Garrett Road, southwest corner, and
2. Skipworth Court at Ashworth Drive, northeast corner

was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

Ordinance #11235

SUBJECT: STOP SIGNS - GROVE PARK SUBDIVISION

MOTION by Council Member Larson seconded by Council Member Miller to adopt an ordinance authorizing the installation of stop signs at the following locations:

1. Southshore Parkway at Nichols Farm Drive, northwest corner, and
2. Leacroft Way at Nichols Farm Drive, northwest corner

was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

Ordinance #11236

**SUBJECT: STREET ACCEPTANCE - MARBREY LANDING SUBDIVISION,
WOODLAKE SUBDIVISION AND IMPERIAL CENTER
SOUTHWEST**

MOTION by Council Member Larson seconded by Council Member Miller to accept certain streets in the Mabrey Landing Subdivision, Woodlake Subdivision, and Imperial Center Southwest for maintenance by the City of Durham was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

MARBREY LANDING SUBDIVISION

1. Fire Rock Place - from the centerline of Armitage Drive eastward thru the cul-de-sac (184')

2. Redear Place - from the centerline of Armitage Drive northward thru the cul-de-sac (481')
3. Armitage Drive - from the centerline of Stallings Road westward to the end of the existing pavement (STA 29 + 41) (1,943')

WOODLAKE SUBDIVISION

1. Superior Court - from the centerline of Tahoe Drive west thru the cul-de-sac (206')
2. Ontario Court - from the centerline of Tahoe Drive westward thru the cul-de-sac (153')
3. Drummond Court - from the centerline of Woodlake Drive southward thru the cul-de-sac (512')
4. Casabelle Court - from the centerline of Woodlake Drive southward thru the cul-de-sac (417')
5. Madeira Court - from the centerline of Casabelle Court westward thru the cul-de-sac (207')
6. Rose Bay Court - from the centerline of Tahoe Drive northward thru the cul-de-sac (335')
7. Chesden Drive - from the centerline of Woodlake Drive westward looping back to the centerline of Woodlake Drive (1,503')
8. Greers Ferry Court - from the centerline of Chesden Drive northward thru the cul-de-sac (217')
9. Willoughby Court - from the centerline of Chesden Drive southward thru cul-de-sac (137')
10. Waconda Court - from the centerline of Chesden Drive southward thru the cul-de-sac (202')
11. Tahoe Drive - from the south property line of TM 522G-1-38 southward back to the centerline of Woodlake Drive (1,165')

IMPERIAL CENTER SOUTHWEST

1. Surles Court - from the centerline of Highway 54 west thru the cul-de-sac (1,790')

SUBJECT: SIDEWALK - LIBERTY STREET (SOUTH SIDE) FROM

**RAILROAD STREET TO ALSTON AVENUE - SETTING PUBLIC
HEARING TO CONSIDER ORDERING IMPROVEMENT UNDER
THE ENABLING ACT AUTHORITY**

MOTION by Council Member Larson seconded by Council Member Miller to adopt a resolution setting a **public hearing on Tuesday, September 2, 1997** to consider ordering sidewalk on Liberty Street (south side) from Railroad Street to Alston Avenue under the Enabling Act Authority was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

**SUBJECT: CURB, GUTTER AND PAVING - TAYLOR STREET FROM
RAILROAD TO ELM STREET - SETTING PUBLIC HEARING FOR
CONFIRMATION OF ASSESSMENT ROLL**

MOTION by Council Member Larson seconded by Council Member Miller to adopt a resolution setting a **public hearing on Tuesday, September 2, 1997** for confirmation of the assessment roll for curb, gutter and paving on Taylor Street from Railroad to Elm Street was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

SUBJECT: TIME PAYMENT PETITIONS

MOTION by Council Member Larson seconded by Council Member Miller to approve the nine Time Payment Petitions listed below was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

1. Charles A. and Joyce Ann Boyd - 5126 Lansdowne Drive - Sewer Lateral and Sewer Capital Facility Fee
2. Ivory L. and Gaynelle E. Browning - 2210 Edwin Avenue - Water Capital Facility Fee
3. Fred Alan Gregory, Darch Lee Nahigyan - 3802 Hulon Drive - Sewer Lateral and Sewer Capital Facility Fee
4. Clifton P. Jones - 3816 Pickett Road - Water Lateral, Sewer Lateral, Water Main, Water Capital Facility Fee and Sewer Capital Facility Fee

5. Richard S. and Deborah L. Little - 4417 Easley Street - Water Capital Facility Fee
6. Lewis E. and Cynthia T. Long - 5126 Kenwood Road - Sewer Lateral and Sewer Capital Facility Fee
7. David Earl and Dardanella McMillan, Sr. - 3059 Lake Drive - Water Lateral, Water Main and Water Capital Facility Fee
8. Charles D. and Cora W. Smith - 1706 Athens Avenue - Water Lateral, Sewer Lateral, Water Capital Facility Fee and Sewer Capital Facility Fee
9. James Lee and Donna B. Thompson - 5242 Russell Road - Water Lateral, Water Main and Water Capital Facility Fee

SUBJECT: SITE PLAN APPROVAL - LINCOLN PARK WEST BUSINESS CENTER - PHASE A

MOTION by Council Member Larson seconded by Council Member Miller to approve a site plan for Lincoln Park West Business Center - Phase A consisting of a 31,720 square foot building, proposed on 2.88 acres, zoned SC, located on the northeast corner of South Miami Boulevard and Alexander Drive (Tax Map #577A-1-21, 22, 23) was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

SUBJECT: SITE PLAN APPROVAL - MOUNT ZION CHRISTIAN CHURCH OF DURHAM FAMILY LIFE CENTER

MOTION by Council Member Larson seconded by Council Member Miller to approve a site plan for Mount Zion Christian Church of Durham Family Life Center consisting of a 31,000 square foot building, proposed on 5.99 acres, zoned R-5, located on the east side of Fayetteville Road (Tax Map #407A-1-1) was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

SUBJECT: CITY COUNCIL MINUTES - CITY CLERK'S OFFICE

MOTION by Council Member Larson seconded by Council Member Miller to approve the official minutes of the July 21, 1997 and August 4, 1997 regular City Council meetings was approved at 7:33 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman,

Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

[GENERAL BUSINESS AGENDA]

[PUBLIC HEARINGS]

**SUBJECT: SOUTH ALSTON AVENUE (WEST SIDE) FROM NORTH
PROPERTY LINE OF TAX MAP 391-01-028 TO SHERMAN
AVENUE (ENABLING ACT AUTHORITY)**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations the public hearing was declared closed.

MOTION by Council Member Larson seconded by Council Member McKissick to adopt a resolution ordering sidewalk on South Alston Avenue (West Side) from north property line of Tax Map 391-01-028 to Sherman Avenue under the Enabling Act Authority was approved at 7:34 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

**SUBJECT: STREET CLOSING EMILY STREET (SC97-3) - 983± SQUARE
FOOT PORTION OF EMILY STREET, NORTH OF PIPER STREET**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations the public hearing was declared closed.

MOTION Council Member Larson seconded by Council Member Miller to adopt an “Order Permanently Closing a 983± Square Foot Portion of Emily Street, North of Piper Street” was approved at 7:34 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

Ordinance #11237

SUBJECT: LANDFILL

To receive citizens’ comments pertaining to a landfill prior to the State’s issuance of a permit for a landfill in compliance with G. S. Section 130A-294(b1)(2).

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

Sheila Goss asked council to remove Site 10 from any consideration for locating solid waste.

Rufus Frazier asked council to remember the promise made to the neighborhood relative to not placing another landfill in the northeast section of Durham.

Jackie Brown, representing the Northeast Neighborhood Association, objected to the landfill and the siteplan for the landfill. She asked the council to remove from consideration Site 17 and 17A .

Mayor Pro Tem Robinson asked if there was anyone else present wishing to speak on this item. The public hearing was closed by Mayor Pro Tem Robinson.

MOTION by Council Member Larson seconded by Council Member Miller to receive citizens' comments pertaining to a landfill prior to the State's issuance of a permit for a landfill in compliance with G. S. Section 130A-294(b1)(2) was approved at 7:51 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

**SUBJECT: ZONING CASE P97-9, HAROLD BAGWELL, INTERSECTION OF
TOWER BOULEVARD AND PICKETT ROAD**

Case: P97-9

Applicant: Harold Bagwell

Location: The 3.28-acre site is located at the southwest corner of the intersection of Tower Boulevard and Pickett Road, identified as Tax Map 234, Block 1, Lot 7D.

Request: Rezoning from R-10 (Residential 10) and OI-1 (Transitional Office and Institutional) to OI-2(D) (General Office and Institutional with Development Plan)

To adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of R-10 and OI-1 and placing same in and establishing same as OI-2(D).

Zoning Committee's Recommendation and Vote: Approval, 4-2

City Manager's Recommendation: Approval with the removal of the optional driveway

Note: A letter of withdrawal has been received for Case P97-9. The Public Works Committee voted unanimously to recommend to Council that the letter be accepted.

MOTION by Council Member Larson seconded by Council Member Clement to accept the letter of withdrawal from the applicant was approved at 7:51 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

SUBJECT: ZONING CASE P97-31, GEORGE W. BIRMINGHAM, JR., BROAD STREET (BETWEEN CRUTCHFIELD STREET AND STADIUM DRIVE)

Case: P97-31

Applicant: George W. Birmingham, Jr.

Location: Lots fronting the west side of Broad Street—two to the north and one to the south of Sommerset Drive (between Crutchfield Street and Stadium Drive (Tax Map 325, Block 8, Lots 10, 11: Tax Map 296, Block 4, Lot 20)

Request: Rezoning from R-8 (Residential 8 District); F/J-B (Falls/Jordan Protected Area) Overlay to R-5 (Residential 5 District); F/J-B.

To adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of R-8; F/J-B and placing same in and establishing same as R-5; F/J-B.

Zoning Committee's Recommendation and Vote: Approval, 7-0

City Manager's Recommendation: Approval

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

MOTION by Council Member Clement seconded by Council Member Miller to adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of R-8; F/J-B and placing same in and establishing same as R-5; F/J-B was approved at 7:52 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

SUBJECT: ZONING CASE P97-54, L. E. TUCKETT, N. C. 98 (WAKE FOREST HIGHWAY) AND ROCHELLE STREET

Case: 97-54

Applicant: L. E. Tuckett

Location: 2.06± acre site located at the northeast corner of NC 98 (Wake Forest Highway) and Rochelle Street, east of US 70 and west of Lynn Road and further identified as Tax Map 378-2-25

Request: Rezoning from R-8 (Residential 8 District) and NC Neighborhood Commercial F/J-B (Falls/Jordan Protected Area) Overlay to OI-2(D) (General Office and Institutional District with a Development Plan); F/J-B.

To adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of R-8 and NC; F/J-B and placing same as OI-2(D); F/J-B.

Zoning Committee's Recommendation and Vote: Approval, 7-0

City Manager's Recommendation: Approval

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

MOTION by Council Member Clement seconded by Council Member Miller to adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of R-8 and NC; F/J-B and placing same as OI-2(D); F/J-B was approved at 7:52 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Abstention: Council Member Cox. Absent: Mayor Kerckhoff.

**SUBJECT: PROPOSED AMENDMENTS TO ZONING ORDINANCE
CONCERNING WATERSHED PROTECTION**

To receive citizens' comments on the proposed amendments to the watershed protection provisions.

To adopt "An Ordinance Amending the Watershed Protection Provisions of the Durham Zoning Ordinance."

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

Vivian Harris, a resident of Glenn School Road, spoke in support of the ordinance.

No one spoke in opposition. Mayor Pro Tem Robinson closed the public hearing.

MOTION by Council Member Larson seconded by Council Member Clement to receive citizens' comments on the proposed amendments to the watershed protection provisions and;

To adopt "An Ordinance Amending the Watershed Protection Provisions of the Durham Zoning Ordinance" was approved at 7:56 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: Council Member Brown. Absent: Mayor Kerckhoff.

Ordinance #11238

**SUBJECT: PROPOSED AMENDMENTS TO ZONING ORDINANCE
CONCERNING SIGN REGULATIONS AND SIGNS FOR OUTDOOR
SALES, STANDARDS FOR CONCRETE PLANTS, AND
REGULATIONS ALLOWING CONFERENCE-RETREAT
CENTERS IN CERTAIN ZONES**

a. An Ordinance to Amend the Durham Zoning Ordinance Regarding Sign Violation Procedures and Signs for Outdoor Sales (TC 57-97)

To receive citizens' comments on the proposed amendment.

To adopt "An Ordinance to Amend the Durham Zoning Ordinance Regarding Sign Violation Procedures and Signs for Outdoor Sales (TC 57-97)."

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations the public hearing was declared closed.

MOTION by Council Member Larson seconded by Council Member Clement to receive citizens' comments on the proposed amendment; and

To adopt "An Ordinance to Amend the Durham Zoning Ordinance Regarding Sign Violation Procedures and Signs for Outdoor Sales (TC 57-97)" was approved at 7:56 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

Ordinance #11239

b. An Ordinance to Amend the Durham Zoning Ordinance to Allow Concrete Plants in the Light Industrial Zone and to Establish Standards (TC 58-97)

To receive citizens' comments on the proposed amendment.

To adopt "An Ordinance to Amend the Durham Zoning Ordinance to Allow Concrete Plants in the Light Industrial Zone and to Establish Standards (TC 58-97)."

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

Attorney Jack Markham spoke in support of this ordinance.

No one spoke in opposition. Mayor Pro Tem Robinson closed the public hearing.

MOTION by Council Member Larson seconded by Council Member Clement to receive citizens' comments on the proposed amendment; and

To adopt "An Ordinance to Amend the Durham Zoning Ordinance to Allow Concrete Plants in the Light Industrial Zone and to Establish Standards (TC 58-97)" was approved at 7:58 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: Council Member Engelhard. Absent: Mayor Kerckhoff.

Ordinance #11240

- c. An Ordinance to Amend the Durham Zoning Ordinance to Allow Conference-Retreat Centers in the Office and Institutional Zones 1 and 2 (TC 59-57)

To receive citizens' comments on the proposed amendment.

To adopt "An Ordinance to Amend the Durham Zoning Ordinance to Allow Conference-Retreat Centers in the Office and Institutional Zones 1 and 2 (TC 59-57)."

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations the public hearing was declared closed.

MOTION by Council Member Larson seconded by Council Member Clement to receive citizens' comments on the proposed amendment; and

To adopt "An Ordinance to Amend the Durham Zoning Ordinance to Allow Conference-Retreat Centers in the Office and Institutional Zones 1 and 2 (TC 59-57)" was approved at 7:58 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

Ordinance #11241

SUBJECT: TAXICAB COMMISSION REPORT

To receive a report from the Taxicab Commission and to take action on the following recommendations of the Taxicab Commission—pursuant to Section 22.159.10 of the Durham City Code:

- a. Citizens's Complaint - Vickie Cradle-Lofton and Rodney Lofton

Taxicab Commission's Recommendation: Suspend taxicab driver's permit issued to Michael Johnson for a period of six months (Vote 3-0)

Joan Apple, Taxicab Inspector, briefed council on the citizen's complaint.

MOTION by Council Member Wright seconded by Council Member Larson to approve the Taxicab Commission's recommendation [suspend taxicab driver's permit issued to Michael Johnson for a period of six months] was approved at 8:04 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

- b. Driver's Permit - James Henry Bates

Taxicab Inspector's Recommendation: Deny driver's permit (in accordance with City Code)

Taxicab Commission's Recommendation: Issue taxicab driver's permit (Vote 3-0)

MOTION by Council Member Wright seconded by Council Member Larson to approve the Taxicab Commission's recommendation [issue taxicab driver's permit for James Henry Bates] was approved at 8:04 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

SUBJECT: DURHAM BULLS ATHLETIC PARK EXPANSION - CAPITOL BROADCASTING COMPANY, INC.

- a. Downtown Development Project Agreement with Capitol Broadcasting Company, Inc.

- 1. Durham Bulls Athletic Park Expansion to Triple A Standards

MOTION by Council Member Larson seconded by Council Member Clement to approve in concept a Downtown Development Project Agreement with Capitol

Broadcasting Company, Inc. for construction of the Durham Bulls Athletic Park Expansion to Triple A standards was approved at 8:05 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Clement, Engelhard, Griffin, Hyman, Langley, Larson and McKissick. Noes: Council Members Cox, Brown, Miller and Wright. Absent: Mayor Kerckhoff.

2. Private Office Building

MOTION by Council Member Larson seconded by Council Member Clement to approve in concept a Downtown Development Project Agreement with Capitol Broadcasting Company, Inc. for construction of the private office building was approved at 8:06 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

b. Durham Bulls Athletic Park Expansion Funding Options

MOTION by Council Member Larson seconded by Council Member Clement to receive a report from the Administration on funding options for Durham Bulls Athletic Park expansion; and

To approve **Option 3** as described in the July 31, 1997 memorandum was approved at 8:11 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson and McKissick. Noes: Council Members Miller, Brown and Wright. Absent: Mayor Kerckhoff.

c. Proposed Durham Bulls Athletic Park Office Space Lease

MOTION by Council Member Larson seconded by Council Member Clement to adopt a resolution authorizing the City Manager to execute a lease with Capitol Broadcasting Company, Inc. for a term of three years with two tenant renewal options of three years each, at a rental of \$17,500 for the first year and 4% rental increase for each additional year, for 2,500 square feet in the Durham Bulls Athletic Park for additional office space for the Durham Bulls, WDNC, and WRAL-TV; and

To authorize the City Manager to make minor changes to the lease agreement that do not affect the rent, term, or use as stated in the lease was approved at 8:11 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

Resolution #8383

SUBJECT: TRANSFER STATION PROJECT - MALCOLM PIRNIE, INC.

MOTION by Council Member Larson seconded by Council Member Clement to authorize the City Manager to execute an Agreement between the City of Durham, North Carolina and Malcolm Pirnie, Incorporated for engineering, professional and other services for the Transfer Station Project in the amount of \$336,930; and

To adopt a “Resolution Exempting Transfer Station Project from G.S. 143-64.31” was approved at 8:41 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: Council Members Cox, Engelhard and McKissick. Absent: Mayor Kerckhoff.

Resolution #8384

SUBJECT: SANITARY LANDFILL CONSTRUCTION SERVICES - MALCOLM PIRNIE, INC.

MOTION by Council Member Larson seconded by Council Member Clement to authorize the City Manager to execute Amendment #2 to Agreement with Malcolm Pirnie, Incorporated for engineering, professional and other services for the Sanitary Landfill Closure Project and the New Sanitary Landfill Construction Project in the amount of \$671,550 was approved at 8:41 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: Council Member Cox. Absent: Mayor Kerckhoff.

SUBJECT: 1997-98 BEER AND WINE LICENSES

MOTION by Council Member Wright seconded by Council Member Clement to approve the issuance of Beer and Wine Licenses to the establishments listed in the attachment **except** Scorpio Ventures, Inc., 300 West Morgan Street and Wai-Ye, Incorporated, 3823 U-V Guess Road was approved at 8:41 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

MOTION by Council Member Larson seconded by Council Member Clement to approve the issuance of Beer and Wine Licenses to Scorpio Ventures, Inc., 300 West Morgan Street and Wai-Ye, Incorporated, 3823 V-V Guess Road was approved at 8:41 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Clement, Cox, Griffin, Langley, Larson, McKissick and Miller. Noes: Council Members Hyman, Engelhard, Brown and Wright. Absent: Mayor Kerckhoff.

[Note: See Attachment #1 for beer and wine licenses]

[SUPPLEMENTAL ITEM]

**SUBJECT: CONSULTANT SERVICES FOR POLICE CHIEF SEARCH
WITH SLAVIN MANAGEMENT CONSULTANTS**

MOTION by Council Member Clement seconded by Council Member Wright to authorize the City Manager to execute a contract with Slavin Management Consultants in the amount of \$9,975 to provide services in connection with the Police Chief search was approved at 8:42 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

[ITEMS PULLED FROM THE CONSENT AGENDA]

**SUBJECT: ADMINISTRATIVE AUDIT CONSULTANT CONTRACT
WITH DIVERSITAS NEW YORK, INC.**

To authorize the City Manager to execute a contract with Diversitas New York, Inc. in the amount of \$68,950 for consultant services.

Hugh Lecky , a citizen, raised concern about the message the proposed audit would send to city employees. He stated the audit was not needed because recently hired City Manager Ewell could complete his own assessment of city staff.

MOTION by Council Member Wright seconded by Council Member Miller to authorize the City Manager to execute a contract with Diversitas New York, Inc. in the amount of \$68,950 for consultant services was approved at 9:03 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: Council Member Clement. Absent: Mayor Kerckhoff.

**SUBJECT: LICENSE AGREEMENT WITH THE YOUNG MEN’S CHRISTIAN
ASSOCIATION (YMCA) FOR PLAYGROUND ENCROACHMENT -
SEMINARY STREET**

To authorize the City Manager to enter into a license agreement with the YMCA for the installation of a fence and playground within the street right of way of Seminary Street.

A motion was made by Council Member Larson to approve the item as printed on the agenda. This motion was seconded by Council Member Wright.

SUBSTITUTE MOTION by Council Member McKissick seconded by Council Member Cox to authorize the City Manager to enter into a license agreement with the YMCA for

the installation of a fence and playground within the street right of way of Seminary Street, and at the discretion of a future council allow them to make a request that at the end of the term of the license agreement the YMCA would restore Seminary Street as it originally was **FAILED** at 9:05 p.m. by the following vote: Ayes: Council Members Hyman, McKissick, Cox, Engelhard and Brown. Noes: Mayor Pro Tem Robinson and Council Members Langley, Clement, Miller, Larson, Griffin and Wright. Absent: Mayor Kerckhoff.

MOTION by Council Member Larson seconded by Council Member Wright to authorize the City Manager to enter into a license agreement with the YMCA for the installation of a fence and playground within the street right of way of Seminary Street was approved at 9:05 p.m. by the following vote: Ayes: Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: Mayor Kerckhoff.

There being no further business to come before the City Council, the meeting was adjourned at 9:05 p.m.

D. Ann Gray
Deputy City Clerk

Margaret M. Bowers, CMC
City Clerk